



भारत का राजपत्र The Gazette of India

प्रतिपक्षर से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 19]

No. 19]

नई दिल्ली, शनिवार, अगस्त 19, 2000/श्रावण 28, 1922

NEW DELHI, SATURDAY, AUGUST 19, 2000/SRAVANA 28, 1922

इस भाग में भिन्न पृष्ठ संख्या दी जाना है जिससे कि यह मूल संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (iii)
PART II—Section 3—Sub-section (iii)

केन्द्रीय अधिकारियों (संघ राज्य क्षेत्र प्रशासन को छोड़कर) द्वारा जारी किये गये आदेश और अधिसूचनाएं
Orders and Notifications issued by Central Authorities (other than the Administrations of Union Territories)

भारत निर्वाचन आयोग
आदेश

नई दिल्ली, 7 अगस्त, 2000

आ.अ. 113 :—यतः, 199-नन्दनपुर विधान सभा निर्वाचन-क्षेत्र से पश्चिम बंगाल विधान सभा के लिए हुए उप-निर्वाचन 1998 में निर्वाचन लड़ने वाले एक अभ्यर्थी, श्री तपन कुमार मैती, निवासी ग्राम और पो. आ. पलासपाई, जिला-मिदनापुर, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्दीन बनाए गए नियमों द्वारा यथा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असमर्थ रहे है;

और यतः श्री तपन कुमार मैती ने निर्वाचन आयोग द्वारा सम्यक सूचना दिए जाने पर भी उक्त असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है;

और यतः निर्वाचन आयोग का यह समाधान हो गया है कि उक्त अभ्यर्थी के पास उक्त असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है;

अतः, अब उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग इसके द्वारा श्री तपन कुमार मैती को संसद के किसी भी सदन के या किसी राज्य/संघ राज्य क्षेत्र की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं. 76/प. बं. वि.-स./2000]

आदेश से,
बी. एन. चावला, सचिव

ELECTION COMMISSION OF INDIA

ORDER

New Delhi, the 7th August, 2000

O.N. 113.—Whereas Shri Tapan Kumar Maity R/o Village + P.O.—Palaspai, District Midnapore a Contesting candidate at the Bye-election to the West Bengal Legislative Assembly, 1998, held from 199-Nandanpur Assembly Constituency has failed to lodge any account of his election expenses as required by the Representation of the People Act, 1951 and the Rules made thereunder;

And, whereas, Shri Tapan Kumar Maity has not furnished any reason or explanation for the said failure even after due notice of the Election Commission;

And, whereas, the Election Commission is satisfied that the said candidate has no good reason or justification for the said failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares Shri Tapan Kumar Maity to be disqualified for being chosen as and for being a member of either House of the Parliament or of the Legislative Assembly or Legislative Council of a State or Union Territory for a period of three years from the date of this order.

[No. 76/WB-LA/2000]

By Order,

B. N. CHAWLA, Secy.

आदेश

नई दिल्ली, 7 अगस्त, 2000

आ.अ. 114:—निर्वाचन आयोग का समाधान हो गया है कि लोकसभा के साधारण निर्वाचन 1999 के लिये जो नीचे की सारणी के स्तम्भ (2) में विनिर्दिष्ट निर्वाचन क्षेत्र से हुआ है स्तम्भ (3) में उसके सामने विनिर्दिष्ट निर्वाचन लड़ने वाला प्रत्येक अभ्यर्थी, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्दीन बनाए गए नियमों द्वारा अपेक्षित उक्त सारणी के स्तम्भ (4) में यथा दक्षित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहा है।

और उक्त अभ्यर्थियों ने सम्यक् सूचना दिये जाने पर भी उक्त असफलता के लिये ना तो कोई कारण अथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह समाधान हो गया है कि उनके पास उक्त असफलता के लिये कोई कारण या न्यायोचित्य नहीं है।

अतः अब, निर्वाचन आयोग उक्त अधिनियम की धारा 10-क के अनुसरण में नीचे की सारणी के स्तम्भ (3) में विनिर्दिष्ट व्यक्तियों को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिये निरहित घोषित करता है :—

सारणी

क्र.सं.	संसदीय निर्वाचन क्षेत्र की क्र.सं. और नाम	निर्वाचन लड़ने वाले अभ्यर्थी का नाम और पता	निरहता का कारण
1	2	3	4
1.	13—धर्मपुरी	1. श्री सी. सेलवाम मुपुल चिन्नसामी जंगलाहल्ली बी पल्लिपट्टी (पोस्ट) पप्पीरेड्डोपट्टी, (तालुक)	कोई भी लेखा दाखिल नहीं किया।
		2. श्री अम्पानु चेट्टी मुपुल बेंकटाजलाचेट्टी बिल्लानूर, बिस्कमपट्टी (पोस्ट) पेन्नानगरम, तालुक	—वही—
2.	19—गोबिचेट्टीपालयम	1. श्री एस. ए. रामामूर्ति डोर नं. 8 सोदामन कोइल कोट्टुवीरापालायम सत्यमगलम इरोडे जिला	—वही—

1	2	3	4
3.	22—पलानी	1. श्री के. एल. मुरुगेसन सुपुत्र लक्ष्मणासामी 37, मालीयाकारा स्ट्रीट कोलातुपालायम पोस्ट धारापुरम तालुक 638661	कोई भी लेखा दाखिल नहीं किया।
		2. श्री के. एम. नटराजन सुपुत्र मास्ताचलम 32, काम्बर स्ट्रीट पलानी	—वही—
		3. श्री एम. बालासुब्रमणी सुपुत्र मूतुसामी एम कुमारापालायम पोस्ट मूलानूरवाया, धारापुरम तालुक इरोडे जिला 638106	—वही—
		4. श्री सी. रतिनासामी सुपुत्र चेन्नीअप्पा 72 बी, इरोडे रोड—पूर्व बेल्लाकोइल—638111 कनयेयम तालुक इरोडे जिला	—वही—
		5. श्री के. अरचुनन सुपुत्र कातामुतु आई वादीपट्टी (पोस्ट) कल्लीमनदायम (वाया) ओद्वानचदम तालुक 624616	—वही—
		6. श्री एस. पी. कुमारासामी सुपुत्र पुल्लासामी 135—ए, के. पी. सी नगर, बेल्लाकोइल—638111, कनयेयम तालुक इरोडे जिला	—वही—
4.	34—रामानाथपुरम	1. श्री एस. अंबेराबल्ली अमीनाल सुपुत्री सेनगालन वल्लीकुडी, पुतेनताल पोस्ट रामानाथपुरम	—वही—

[सं. 76/त.ना.-लो.म./99]

आदेश से,

बाबू राम, सचिव

ORDER

New Delhi, the 7th August, 2000

O.N. 114.—Whereas the Election Commission is satisfied that each of the contesting candidates specified in column (3) of the Table below at the General Election to the House of the People, 1999 held from the Constituency specified in column (2) against his/her name has failed to lodge an account of his/her election expenses as mentioned in column (4) of the said Table, as required by the Representation of the People Act, 1951 and the Rules made there under;

And, whereas, the said candidates have either not furnished any reason or explanation for the said failures even after due notice to each of them and the Election Commission is satisfied that they have no good reason or justification for the said failure;

Now, therefore, in pursuance of Section 10A of the said Act, the Election Commission hereby declares the persons specified in column (3) of the Table below to be disqualified for being chosen as and for being, a member of either House of the Parliament or Legislative Assembly or Legislative Council of a State for a period of 3 years from the date of this order.

TABLE

Sl. No.	No. & Name of Parliamentary Constituency	Name & Address of the contesting Candidate	Reason for Disqualification
1	2	3	4
1.	13—Dharmapuri	1. Sh. C. Selvam S/o Chinnasamy Jangalahally. B. Pallipatty (Post) Pappireddipatty TK	Accounts not lodged at all.
		2. Sh. Appavu Chetty S/o Venkatajalachetty, Billanoor, Bikkampatty (Post) Pennagaram TK	-do-
2.	19—Gobichettipalayam	1. Shri S.A. Ramamoorthy, Door No. 8 Sowdamman Koil Lane-I Kottuveerampalayam. Sathyamangalam, Erode District.	-do-
3.	22—Palani	1. Sri K.L. Murugesan, S/o Lakshmanasamy, 37, Maniakarar Street, Kolathupalayam Post, Dharapuram Taluk-638661.	-do-
		2. Sri. K.M. Natarajan, S/o Maruthachalam, 32, Kambar Street Palani.	-do-
		3. Sri. M. Balasubramani, S/o Muthusamy, M. Kumarapalayam Post, Moolanuruja, Dharapuram Taluk, Erode District-638106.	-do-

1	2	3	4
		4. Sri. C. Rathinasamy, S/o Chenniappa, 72B, Erode Road-East, Vellakoil-638111. Kangeyam Taluk, Erode District.	Accounts not lodged at all
		5. Sri. K. Archunan, S/o Kathamuthu, I. Vadipatti (Post), Kallimandayam (Via), Oddanchatram Taluk- 624616.	-do
		6. Sri. S. P. Kumarasamy. S/o Pullasamy. 135 A, K.P.C. Nagar, Vellakoil-638111, Kangeyam Taluk, Erode District.	Accounts not lodged in the manner.
4. 34-Ramanathapuram		1. Smt. S. Ayeravalli a Ameenal D/o Sengalan, Vannikudi, Puthenthal Post, Ramanathapuram.	Accounts not lodged at all.

[No. 76/TN-HP/99]

By Order,

BABU RAM, Secy.

आदेश

नई दिल्ली, 7 अगस्त, 2000

आ.अ. 115:—निर्वाचन आयोग का समाधान हो गया है कि लोक सभा के साधारण निर्वाचन 1999 के लिये जो नीचे की सारणी के स्तम्भ (2) में विनिर्दिष्ट निर्वाचन क्षेत्र से हुआ है स्तम्भ (3) में उसके सामने विनिर्दिष्ट निर्वाचन लड़ने वाला प्रत्येक अभ्यर्थी, लोक प्रतिनिधित्व अधिनियम, 1951 तथा नब्बोन बनाए गए नियमों द्वारा अपेक्षित उक्त सारणी के स्तम्भ (4) में यथा दर्शित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहा है;

और उक्त अभ्यर्थियों ने सम्यक् सूचना दिये जाने पर भी उक्त असफलता के लिये या तो कोई कारण अथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह समाधान हो गया है कि उनके पास उक्त असफलता के लिये कोई पर्याप्त कारण या न्यायीचित्य नहीं है;

अतः अब निर्वाचन आयोग उक्त अधिनियम की धारा 10-क के अनुसरण में नीचे की सारणी के स्तम्भ (3) में विनिर्दिष्ट व्यक्तियों को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिये इस आदेश की तारीख से तीन वर्ष की कालावधि के लिये निर्वाह घोषित करता है:—

सारणी

क्र.सं.	निर्वाचन क्षेत्र की क्र.सं. और नाम	निर्वाचन लड़ने वाले अभ्यर्थी का नाम और पता	निर्वाहता का कारण
1	2	3	4
1.	13-कोट्टायम	1. श्री मन्नार राधाकृष्णन बेल्लिमिल, मन्नारपुझीकोल, पो.आ. काड्युरुथी, पिन-686004 2. श्री शाजी परानगोडु हाउस वेल्लूर, पो. आ. कोट्टायम, केरल	कोई भी लेखा दाखिल नहीं किया। —वही—

1	2	3	4
2.	14-इदुक्की	1. श्री शरीवरन पानाघोट्टाविल थोवासयार इदुक्की, केरल	कोई भी लेखा दाखिल नहीं किया
		2. जोसफ थामस पूनाट्टु हाउस, कट्टापाना, केरल	-वही-
		3. श्री देवराजन कुमारमंगलम किशाक्केवाधायपिल्ल कुमारमंगलम थोडुगुम्मा, केरल	-वही-
		4. श्री धर्मराज पेरियावाराय एस्टेट सूलामाला, मुन्नार, केरल	-वही-
		5. श्री रेव्वनयानम पीताम्बरन मालायानकुन्नेल 10वां माइल वालारा, पो. आ. ए डीमाली, केरल	-वही-
		6. श्री एन्सिल वर्गीज असारीथीय कुन्नारथुकारा अरानमुता पो. आ. केरल	-वही-

[स. 76/केरल-लो.स./99]

आदेश से,
बाबू राम, सचिव

ORDER

New Delhi, the 7th August, 2000

O. N. 115.—Whereas the Election Commission is satisfied that each of the contesting candidates specified in column (3) of the Table below at the Election to the Lok Sabha, 1999 held from the Constituency specified in column (2) against his name has failed to lodge an account of his election expenses as mentioned in column (4) of the said Table, as required by the Representation of the People Act 1951 and the Rules made thereunder ;

And, whereas, the said candidates have either not furnished any reason or explanation for the said failures even after due notice to each of them and the Election Commission is satisfied that they have no good reason or justification for the said failure;

Now, therefore, in pursuance of Section 10 A of the said Act, the Election Commission hereby declares the persons specified in column (3) of the Table below to be disqualified for being chosen as and for being a member of either House of the Parliament or Legislative Assembly of Legislative Council of a State for a period of 3 years from the date of this order :—

TABLE

Sl. No.	No. and Name of Parliamentary Constituency	Name & Address of the Contesting Candidate	Reason for Disqualification
1.	2.	3.	4.
1.	13-Kottayam	1. Sh. Mannar Radhakrishnan Valliyil, Mannar, Puzhikol P. O., Kaduthuruthy, Pin-686004.	Accounts not lodged at all.

1.	2.	3.	4.
	2. Shri Shaji, Parangodu House, Velloor P. O., Kottayam, Kerala.		Accounts not lodged at all.
2. 14-Idukki	1. Shri Sasidharan, Panathottathil, Thovayar, Idukki, Kerala.		-do-
	2. Shri Joseph Thomas, Poonattu House, Kattappana, Kerala.		-do-
	3. Sh. Devarajan Kumaramangalam, Kizhakkeyadhyapillil, Kumaramangalam, Thodupuzha, Kerala.		-do-
	4. Sh. Dharmaraj, Periavarai Estate, Soolamala, Munnar, Kerala.		-do-
	5. Sh. Peruvanthanam Pethambaran, Malayankunne, 10th Mile, Valara P.O. Adimaly, Kerala.		-do-
	6. Sh. Francis Varghese, Asariyeeth, Kunnathukara, Aranmula P.O., Kerala.		-do-

[No. 76/KL-HP/99]

By Order,

BABU RAM, Secy.

आदेश

नई दिल्ली, 7 अगस्त, 2000

आ.अ. 116—यतः निर्वाचन आयोग का समाधान हो गया है कि तमिलनाडु विधान सभा के निर्वाचन के लिये जो नीचे की सारणी के स्तम्भ (2) में विनिर्दिष्ट निर्वाचन-क्षेत्र से हुआ है स्तम्भ (3) में उसके सामने विनिर्दिष्ट निर्वाचन लड़ने वाला प्रत्येक अभ्यर्थी, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्वीन बनाये गये नियमों द्वारा अपेक्षित उक्त सारणी के स्तम्भ (4) में यथा दर्शित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहा है ;

और यतः उक्त अभ्यर्थियों ने सम्यक् सूचना दिये जाने पर भी उक्त असफलता के लिये या तो कोई कारण अथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह समाधान हो गया है कि उनके पास उक्त असफलता के लिये कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः, अब, निर्वाचन आयोग उक्त अधिनियम की धारा 10—क के अनुसरण में नीचे की सारणी के स्तम्भ (3) में विनिर्दिष्ट व्यक्तियों को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिये इस आदेश की तारीख से तीन वर्ष की कालावधि के लिये निरहित घोषित करता है :—

सारणी				
क्रम सं.	निर्वाचन का विवरण	संसदीय/विधान सभा निर्वाचन-क्षेत्र की क्र.सं. और नाम	निर्वाचन लड़ने वाले अभ्यर्थी का नाम और पता	निराहता का कारण
1	2	3	4	5
1.	167—तिरुचिरापल्ली-2		1. श्री एम. रमेश सुपुत्र महामणि, 7/डी पेंशनर स्ट्रीट वारागानेरी, तिरुचिरापल्ली-8	कोई भी लेखा दाखिल नहीं किया
			2. आर. अशोक कुमार सुपुत्र रामदास 12—पेरियारनगर	—वही—
			3. एस. मेन्थील कुमार सुपुत्र स्वयंभू, कोविल स्ट्रीट काजा मलाई तिरुचिरापल्ली-620023	—वही—
			4. बी. सेकर, सुपुत्र वेलुचामी, 43—डी मेन्गुलाथान, कोविल स्ट्रीट, 7वां क्रॉस, निल्लीई नगर, तिरुचिरापल्ली-620018	—वही—
			5. बी. मनीचकवासगन, सुपुत्र बालाकृष्णन, 21 चेटीपट्टी स्ट्रीट, कोराइप्पूर तिरुचिरापल्ली-620003	—वही—

[सं. 76/त.ना.-वि.स./2000(उप)]

आदेश से,

बाबू राम सच्चिद

ORDER

New Delhi, the 7th August, 2000

O.N. 116.—Whereas the Election Commission is satisfied that each of the contesting candidates specified in column (3) of the Table below at the Bye-election to the Tamil Nadu Assembly Constituency, 2000 held from the Constituency specified in column (2) against his/her mentioned in column (4) of the said Table, as required by the Representation of the People Act, 1951 and the Rules made thereunder;

And, whereas, the said candidates have either not furnished any reason or explanation for the said failures even after due notice to each of them and the Election Commission is satisfied that they have no good reason or justification for the said failure;

Now, therefore, in pursuance of Section 10A of the said Act, the Election Commission hereby declares the persons specified in column (3) of the Table below to be disqualified for being chosen as and for being, a member of either House of the Parliament or Legislative Assembly or Legislative Council of a State for a period of 3 years from the date of this order;

TABLE

Sl. No.	No. & Name of Assembly Constituency	Name & Address of the Contesting Candidate	Reason for Disqualification
1	2	3	4
1.	167-TIRUCHIRAPPALLI-II	Sh. M. Ramesh S/o Mahamani, 7/D Ponsioner Street, Venagananeri Tiruchirappalli.	Accounts not lodged at all.
		2. R. Ashok Kumar S/o Ramadasa 12 Periyarnagar, Varaganeri, Tiruchirappalli-620 008.	-do-
		3. S. Senthil Kumar, S/o Suyambu, Kovil Street, Kajmalai, Tiruchirappalli-620 023.	-do-
		4. V. Sekar, S/o Veluchamy, 43-D Sengulathan Kovil Street, 7th Cross, Thillai Nagar. Thiruchirappalli-620 018.	-do-
		5. B. Manickavasagan, S/o Balakrishnan 21 Chettypettai Street, Woraiyur, Tiruchirappalli-620 003.	-do-

[No. 76/TN-LA/2000 (Bye)]

By Order,

BABU RAM, Secy.

आदेश

नई दिल्ली, 7 अगस्त, 2000

आ.अ. 117:—निर्वाचन आयोग का समाधान हो गया है कि लोकसभा के साधारण निर्वाचन 1998 के लिए जो नीचे की सारणी के स्तम्भ (2) में विनिर्दिष्ट निर्वाचन क्षेत्र से हुआ है स्तम्भ (3) में उसके सामने विनिर्दिष्ट निर्वाचन लड़ने वाला प्रत्येक अभ्यर्थी लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्विन बनाए गए नियमों द्वारा अपेक्षित उक्त सारणी के स्तम्भ (4) में यथा दर्शित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहा है ;

और उक्त अभ्यर्थियों ने सम्यक् सूचना दिये जाने पर भी उक्त असफलता के लिये या तो कोई कारण अथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह समाधान हो गया है कि उनके पास उक्त असफलता के लिये कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अब, निर्वाचन आयोग उक्त अधिनियम की धारा 10-क के अनुसरण में नीचे की सारणी के स्तम्भ (3) में विनिर्दिष्ट व्यक्तियों को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिये निरर्हित घोषित करता है —

सारणी

क्र.सं.	संसदीय निर्वाचन क्षेत्र की क्र.सं. और नाम	निर्वाचन लड़ने वाले अभ्यर्थी का नाम और पता	निरर्थता का कारण
1	2	3	4
1	23—डिन्डिगुल	आर भाष्करन मुपुत्र रामासामी 17—सदयाप्पा स्ट्रीट साइदापेट, चेन्नई	कोई भी लेखा दाखिल नहीं किया

[सं. 76/त.ना.-लो.स./98]]

आदेश से,
बाबु राम, सचिव

ORDER

New Delhi, the 7th August, 2000

O.N. 117.—Whereas the Election Commission is satisfied that the contesting candidate specified in column (3) of the Table below at the General Election to the House of the People, 1998 held from the Constituency specified in column (2) against his name has failed to lodge an account of his election expenses as mentioned in column (4) of the said Table, as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And, whereas, the said candidate has either not furnished any reason or explanation for the said failure even after due notice to him and the Election Commission is satisfied that he has no good reason or justification for the said failure;

Now, therefore, in pursuance of Section 10A of the said Act, the Election Commission hereby declares the person specified in column (3) of the Table below to be disqualified for being chosen as and for being, a member of either House of the Parliament or Legislative Assembly or Legislative Council of a State for a period of 3 years from the date of this order.

TABLE

Sl. No.	No. & Name of Parliamentary Constituency	Name & Address of the Contesting Candidate	Reason for Disqualification
1	2	3	4
1.	23-Dindigul	R. Baskaran S/o Ramasamy 17-Sadayappa St., Saidapet, Chennai.	Accounts not lodge at all.

[No. 76/TN-HP/98]

By Order,
BABU RAM, Secy.

आदेश

नई दिल्ली, 7 अगस्त, 2000

आ.अ. 118:—यतः निर्वाचन आयोग का समाधान हो गया है कि विधान सभा के साधारण निर्वाचन के लिये जो नीचे की सारणी के स्तम्भ (2) में विनिर्दिष्ट निर्वाचन क्षेत्र से हुआ है स्तम्भ (3) में उसके सामने विनिर्दिष्ट निर्वाचन लड़ने वाला प्रत्येक अभ्यर्थी, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्वीन बनाए गए नियमों द्वारा अपेक्षित उक्त सारणी के स्तम्भ (4) में यथा दर्शित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहा है ;

और यतः, उक्त अभ्यर्थियों ने सम्यक् सूचना दिये जाने पर भी उक्त असफलता के लिये कोई कारण अथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह समाधान हो गया है कि उनके पास उक्त असफलता के लिये कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अब, निर्वाचन आयोग उक्त अधिनियम की धारा 10-क के अनुसरण में नीचे की सारणी के स्तम्भ (3) में विनिर्दिष्ट व्यक्तियों को संसद के किसी भी सदन के या किसी भी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिये इस आदेश की तारीख से तीन वर्ष की कालावधि के लिये निरहित घोषित करता है :--

सारणी

क्र.सं. संसदीय/विधानसभा निर्वाचन क्षेत्र की क्र.सं. और नाम	निर्वाचन लड़ने वाले अर्थी का नाम और पता	निरहिता का कारण
1	2	3
4		
1. 14—सेडम	रामन्ना पीरप्पा एल्ली सं. 3-4-82, के ई वी कॉलोनी, सेडम	निर्वाचन व्ययों का कोई भी लेखा दाखिल नहीं किया।
2. 128—सोमवारपेट	के.पी. चन्द्रकला गुम्मानाकोली ग्राम कुराल नगर	—वही—
3. —वही—	एच.डी. जवारैय्या हालागोटे ग्राम हेव्वाले पोस्ट	—वही—
4. —वही—	मार्गरेट डिसूजा, स्कूल रोड, सोमवार पेट	—वही—
5. 175—धारवाड़	प्रकाश समिगाम्मानवर एडवोकेट, अयाटिट बिल्डिंग, 8 वां क्रॉस मार्था कॉलोनी, धारवाड़ 580008	—वही—
6. —वही—	एस.बी. भागालाड सालुंके चाल, मालापुररोड, धारवाड़—8	—वही—
7. —वही—	मीनासेंकाई अरुण रूद्रप्पा ऊन्नत बिल्डिंग यालाक्कीशेट्टार कॉलोनी, विद्यागेरी, धारवाड़	—वही—
8. 176—हुबली	ए.एफ. किट्टूर 1288, तनीन लैंड, हुबली	—वही—
9. —वही—	नालबन्द माहमद अली गनीतान कुलकर्णी हाक्कल, गणेशपेठ हुबली	—वही—
10. —वही—	लक्ष्मण उम्मानासा दालाबंजन बाम्मापुर, चिन्दी ओनी हुबली	—वही—
11. —वही—	एच.बी. हिन्दासगेरी कुरुवार ओनी, भैरीदेवरकोप्पा हुबली	—वही—
12. 186—शीरहट्टी	शेंकर गोडप्पा मालप्पा मागाली तालुक, शीरहट्टी	—वही—

1	2	3	4
13. 187—मुंडारगी	कोटरा गोउडा, सिद्धानागोउडा पाटिल, पोस्ट-कोरला हल्ली ता. मुंडारगी	निर्वाचन व्ययों का कोई भी लेखा दाखिल नहीं किया।	
14. 189—रोन	लक्ष्मण डी. तलवार स्थान व पोस्ट—गजेन्द्रगड़ रोन तालुक, गदाग जिला	—वही—	
15. 207—रायबाग	गंगाराम महादेव डोडामणी प्लैट नं. 380 सेक्टर III शिवबासव नगर, बेलगाम	—वही—	
16. —वही—	दादामणि सदाशिव सांगप्पा स्था./पो.—कुडची ता—रायबाग	—वही—	
17. —वही—	श्रीकान्त शिवरुद्र बागेवाडी स्था. पो.—हिडकाल तालुक रायबाग	—वही—	

[सं. 76/कर्ना. वि. स./99]

आदेश से,
बाबू राम सचिव

ORDER

New Delhi, the 7th August, 2000

O.N. 118.—Whereas, the Election Commission is satisfied that the contesting candidates specified in column (3) of the Table below of the General Election to the Legislative Assembly, 1999 held from the Constituency specified in column (2) against his/her name has failed to lodge an account of his/her election expenses as shown in column (4) of the said Table, as required by the Representation of the People Act, 1951 and the Rules made thereunder:

And whereas, the said candidates have not furnished any reason or explanation for the said failure even after due notice and the Election Commission is satisfied that he/she has no good reason or justification for the said failure,

Now, therefore, in pursuance of Section 10A of the said Act, the Election Commission hereby declares the persons specified in column (3) of the Table below to be disqualified for being chosen as and for being, a member of either House of the Parliament or the Legislative Assembly or Legislative Council of States for a period of 3 years from the date of this order.

Sl. No. & Name of the Assembly No. Constituency	Name of the Contesting Candidates	Reason for Disqualification
(1)	(2)	(3)
1.	14-Sedam	Ramanna Peerappa Elli No. 3-4-82, KEB Colony, Sedam.
		Failed to lodge the account of election expenses at all.

1	2	3	4
2.	128-Somwarpet	K.P. Chandrakala, Gummanakolly Village, Kushalnagar.	Failed to lodge the account of election expenses at all.
3.	-do-	H.D. Javaraiah, Halagote Village, Hebbale Post.	-do-
4.	-do-	Margarate D'Soza, School Road, Somwarpet.	-do-
5.	175-Dharwad	Praksh Sanningammanavar Advocate, Ayatti Building 8th Cross, Martha Colony, Dharwad-580008.	-do-
6.	-do-	S.B. Magalad, Salunke Chawl, Malapur Road, Dharwad-8.	-do-
7.	-do-	Menasinkai Arun Rudrappa, Anant Building, Yalakkishettar Colony, Vidyagiri, Dharwad.	-do-
8.	176-Hubli	A.F. Kittur, 1288, Tabib Land, Hubli,	-do-
9.	-do-	Nalband Mahmed Alli Ganisab, Kulkarni Hakkal, Ganeshpeth, Hubli.	-do-
10.	-do-	Laxman Ummmanasa Dalabanjan, Bammapur, Chindi Oni, Hubli.	-do-
11.	-do-	H.B. Hindasgeri Kurubar Oni, Bhairidevarkoppa, Hubli.	-do-
12.	186-Shirahatti	Shankara Gondappa Mallappa, Magalli Taluk, Shirahatti.	-do-
13.	187-Mundaragi	Kotragouda Siddanagouda Patil, Post : Korlhalli, Tq: Mundaragi.	-do-
14.	189-Ron	Lakshman D. Talwar, At & Post : Gajendragad, Ron Taluka, Gadag District.	-do-
15.	207-Raibag (SC)	Gangaram Mahadev Dodamani, Flat No. 380, Sec. II, Shivabasav Nagar, Belgaum.	-do-
16.	-do-	Dadamani Sadashiv Sangappa, At/PO : Kudchi, Tq : Raibag.	-do-
17.	-do-	Shrikant Shivarudra Bagewadi, At/PO : Hidkal Taluk, Raibag.	-do-

[No. 76/KT-LA/99]

By Order,
BABU RAM, Secy.

आदेश

नई दिल्ली, 7 अगस्त, 2000

आ.अ. 119 :—जबकि, निर्वाचन आयोग का समाधान हो गया है कि नीचे की सारणी के स्तम्भ (2) में यथा विनिर्दिष्ट उत्तर प्रदेश राज्य से लोक सभा के साधारण निर्वाचन के लिये जो स्तम्भ (3) में विनिर्दिष्ट निर्वाचन क्षेत्र से हुआ है, स्तम्भ (4) में उसके सामने विनिर्दिष्ट निर्वाचन लड़ने वाला प्रत्येक अभ्यर्थी, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्विनियम बनाए गए नियमों द्वारा अपेक्षित उक्त सारणी के स्तम्भ (5) में यथा दर्शित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहा है ;

और जबकि, उक्त अभ्यर्थियों ने सम्यक् सूचना दिये जाने पर भी उक्त असफलता के लिये या तो कोई कारण अथवा स्पष्टीकरण नहीं दिया है या उनके द्वारा दिये गए अभ्यावेदनों पर यदि कोई हो, विचार करने के पश्चात् निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास उक्त असफलता के लिये कोई पर्याप्त कारण या न्यायौचित्य नहीं है ;

अतः अब, निर्वाचन आयोग उक्त अधिनियम की धारा 10-क के अनुसूचन में नीचे की सारणी के स्तम्भ (4) में विनिर्दिष्ट व्यक्तियों को संसद के किसी भी सदन के या किसी राज्य/ संघ राज्य क्षेत्र की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिये इस आदेश की तारीख से तीन वर्ष की कालावधि के लिये निरहित घोषित करता है ।

सारणी

क्र.सं. निर्वाचन क्षेत्र का विवरण	निर्वाचन क्षेत्र की क्रम संख्या और नाम	निर्वाचन लड़ने वाले अभ्यर्थी का नाम व पता	निरर्हता का कारण
1	2	3	4
1. उत्तर प्रदेश राज्य से लोक सभा के लिए साधारण निर्वाचन, 1999	20—लखनऊ	डा. विजय अग्रवाल, 3/315 विश्वान खंड, गोमती नगर, लखनऊ, उत्तर प्रदेश,	निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे ।
2. —वही—	21—मोहनलाल गंज (अ.जा.)	राम विलास, ग्रा. अंधेरिया, पो. सफीपुर, उन्नाव, उत्तर प्रदेश ।	—वही—
3. —वही—	—वही—	पुत्तु लाल, ग्रा. बस्तौली, पो. अमेठी, जि. लखनऊ, उत्तर प्रदेश ।	—वही—
4. —वही—	—वही—	राज बहादुर, ग्रा. कलुईखेड़ा, मजरा लउवा सिंहन खेड़ा, तह. पुरवा, जि. उन्नाव, उत्तर प्रदेश ।	—वही—
5. —वही—	29—बाराबंकी (अ.जा.)	राम सिंह, ग्रा. खेवराजपुर, मजरे, टिकरा, पो. खेवराजपुर, बाराबंकी, उत्तर प्रदेश ।	—वही—
6. —वही—	41—देवरिया	खालिद, वार्ड नं० 9 हाटा, कुशीनगर, उत्तर प्रदेश ।	—वही—

1	2	3	4	5
7.	उत्तर प्रदेश राज्य से लोक सभा के लिये साधारण निर्वाचन, 1999	41—देवरिया	चन्नर, ग्रा. रामपुर दुबे, पो. बेलवा बाजार, देवरिया, उत्तर प्रदेश।	निर्वाचन व्यर्थों का कोई भी लेखा दाखिल करने में असफल रहे।
8.	—वही—	42—मलमपुर	के. के. तिवारी, ग्रा. पाण्डेयपुर, पो. मलकौली, जि. देवरिया, उत्तर प्रदेश।	—वही—
9.	—वही—	—वही—	अनुरोध, ग्रा. व पो. भवानी छपर, जि. देवरिया, उत्तर प्रदेश।	—वहीं—
10.	—वही—	—वही—	कुंज बिहारी, ग्रा. व पो. मूनछपरा, जि. बलिया, उत्तर प्रदेश।	—वही—
11.	—वही—	—वही—	ललन, ग्रा. खेलपार पंडित, पो. भाटपार रानी, जि. देवरिया, उत्तर प्रदेश।	—वही—
12.	—वही—	—वही—	सुरेश, ग्रा. चोरडिहा, पो. मुतावर, लार, जि. देवरिया, उत्तर प्रदेश	—वही—
13.	—वही—	67—कन्नौज	मिथलेश कुमार, ग्रा. सकतपूर, पो. रसूलाबाद, जि. उन्नाव, उत्तर प्रदेश।	—वही—
14.	—वही—	—वही—	अरविन्द, मो. कानूनगोयान, शहर व जि. कन्नौज, उत्तर प्रदेश।	—वही—
15.	—वही—	—वही—	रामदास, ग्रा. व पो. सुखसेनपुर, जि. कन्नौज, उत्तर प्रदेश।	—वही—

1	2	3	4	5
16.	उत्तर प्रदेश राज्य से लोक सभा के लिए हाथारण निर्वाचन, 1999	67—कन्नोज	हरिनाम, ग्रा. नरेन्द्रपुर, पो. कीरतपुर, जि. कन्नौज, उत्तर प्रदेश।	निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे।
17.	—वही—	76—अलीगढ़	शिशुपाल सिंह, एल.आई.जी. 48, विलास नगर, अलीगढ़, उत्तर प्रदेश।	—वही—
18.	—वही—	—वही—	जगवीर सिंह, ग्रा. व.पो. महुआ, अलीगढ़, उत्तर प्रदेश।	—वही—

[सं. 76/उ.प्र.-लो.सं./99]]

आदेश से,

एल. एच. फारूकी, सचिव

ORDER

New Delhi, the 7th August, 2000

O.N. 119.—Whereas the Election Commission is satisfied that each of the contesting candidates specified in column 4 of the table below at the General Election to the House of the People in the State of Uttar Pradesh as specified in column (2) held from the Constituency specified in column (3) against his name has failed to lodge the account of his election expenses as required by the Representation of the People Act, 1951 and the rules made thereunder as shown in column (5) of the said table;

And, whereas, the said candidates have either not furnished any reason or explanation for the said failure even after due notice of the Election Commission, after considering the representation made by them, if any the election Commission is satisfied that they have no good reason or justification for the said failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the persons specified in column (4) of the table below to be disqualified for being chosen as, and for being a member of either house of the Parliament or of the Legislative Assembly or Legislative Council of a State or Union Territory for a period of three years from the date of this order :—

TABLE

S. Particular of Election No.	S.No. & Name of Constituency	Name and Address of contesting candidates	Reason for disqualification	
1	2	3	4	5
1. General Election to the Lok Sabha in the State of Uttar Pradesh, 1999	20 Lucknow	Dr. Vijay Aggarwal, 3/315 Vishwas khand, Gomti Nagar, Lucknow, U.P.	Failure to lodge any account of election expenses.	
2. -do-	21-Mohanlai ganj (SC)	Puttu Lal, Vill. Bastauli, P.O. Amethi, Distt. Lucknow	-do-	
3. -do-	-do-	Ram Vilash, Vill. Andheriya, P.O. Safipur, Distt. Unnao, U.P.	-do-	

1	2	3	4	5
4.	General Election to Lok Sabha in the State of Uttar Pradesh	21-Mohanlal ganj (SC)	Raj Bahadur, Vill. Kalukheda, H/O Lauva Sigan Kheda Teh. Purwa, Distt. Unnao, U.P.	Failure to lodge any accounts of election expenses.
5.	-do-	29-Barabanki (SC)	Ram Singh, Vill. Khewrapur, Majray, Tikra, Post. Kewrajpur, Barabanki, Uttar Pradesh	-do-
6.	-do-	41-Deoria	Khalid, Ward No. 9, Hata Kushi Nagar, Uttar Pradesh	-do-
7.	-do-	-do-	Channar, Vill. Rampur Dubey, Post. Belava Bazar, Doeria, U.P.	-do-
8.	-do-	42-Saiepur	K.K. Tiwari, Vill. Pandey Pur, Post. Maikauji, Distt. Deoria, U.P.	-do-
9.	-do-	42-Saiempur	Anarudha, Vill. & Post. Bhawani Chhaper, Distt. Deoria, U.P.	-do-
10.	-do-	-do-	Kunj Behari, Vill. & Post Moon Chappara, Distt. Ballia, U.P.	-do-
11.	-do-	-do-	Lallan, Vill. Khelpar Pandit, Post Bhatpar Rani, Disit. Deoria, U.P.	-do-
12.	-do-	-do-	Suresh, Vill. Choradiha, Post Sutawar, Lar, Distt. Deoria, U.P.	-do-
13.	-do-	67-Kannauj	Mithalesh Kumar, Vill. Sakatpur, Post Rasoolabad, Distt. Unnao, U.P.	-do-
14.	-do-	-do-	Arvind, Moh Kanoon Goyan, City & Distt. Kannauj, U.P.	-do-
15.	-do-	-do-	Ramdas, V. & P. Sukhsanpur, Distt. Kannauj, U.P.	-do-

1	2	3	4	5
16.	General Election to the Lok Sabha in the State of Uttar Pradesh, 1999	67-Kannauj	Harinam, Vill. Narandrapur, Post. Keeratpur, Distt. Kannauj, U.P.	Failure to lodge any account of Election expenses
17.	-do-	76-Aligarh	Shishu Pal Singh L.I.G. 48, Vikas Nagar, Aligarh, U.P.	-do-
18.	-do-	-do-	Jagveer Singh, V. & P. Mahua, Aligarh, U.P.	-do-

[No. 76/UP-HP/99]

By Order

L.H. FARUQI, Secy.

आदेश

नई दिल्ली, 7 अगस्त, 2000

आ.अ. 120.—जबकि, निर्वाचन आयोग का समाधान हो गया है कि उत्तर प्रदेश राज्य से फरवरी, 2000 में हुए विधान सभा के उप निर्वाचन में 39—शाहबाद (अ०जा०) निर्वाचन क्षेत्र से निर्वाचन लड़ने वाले अभ्यर्थी श्री सुरेश, या. खमरी तह. बिलासपुर, जिला रामपुर, उत्तर प्रदेश को लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्दीन बनाए गए नियमों द्वारा अपेक्षित निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे:

और जबकि, उक्त अभ्यर्थी ने सम्यक् सूचना दिये जाने पर भी उक्त असफलता के लिये कोई भी कारण अथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह समाधान हो गया है कि उनके पास उक्त असफलता के लिये कोई पर्याप्त कारण या व्यायोज्य नहीं है;

अतः अब, निर्वाचन आयोग उक्त अधिनियम की धारा 10—क के अनुसरण में श्री सुरेश को संसद के किसी भी सदन के या किसी राज्य/संघ राज्य क्षेत्र की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिये इस आदेश की तारीख से तीन वर्ष की कालावधि के लिये निर्वाहित घोषित करता है।

[सं. 76/उ.प्र.—विस. 2000(उप)]

आदेश से,

एल. एच. फारुकी, सचिव

ORDER

New Delhi, the 7th August, 2000

O.N. 120.—Whereas, the Election Commission of India is satisfied that Sh. Suresh, Vill. Khamari, Teh. Billaspur, Distt. Rampur, Uttar Pradesh a contesting candidate at the Bye-election to the Legislative Assembly in the State of Uttar Pradesh from 30-Shahabad (SC) constituency held in February, 2000 has failure to lodge any account of election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas, the said candidate has not furnished any reason or explanation for the said failure even

after due notices and the Election Commission is thus satisfied that he has no good reason or justification for the said failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares Sh. Suresh to be disqualified for being chosen as, and for being a member of either House of the Parliament or of the Legislative Assembly or Legislative Council of a State/Union Territory for a period of three years from the date of this order.

[No. 76/UP-LA/2000(Bye)]

By Order,

L. H. FARUQI, Secy.

आदेश

नई दिल्ली, 7 अगस्त, 2000

आ.अ. 121.—यतः निर्वाचन आयोग का समाधान हो गया है कि नीचे की सारणी के स्तम्भ (2) में यथा विनिर्दिष्ट गुजरात लोकसभा/विधान सभा के साधारण निर्वाचन के लिए जो स्तम्भ (3) में विनिर्दिष्ट निर्वाचन-क्षेत्र से हुआ है स्तम्भ (4) में उसके सामने विनिर्दिष्ट निर्वाचन लड़ने वाला प्रत्येक अभ्यर्थी, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्दीन बनाए गए नियमों द्वारा अपेक्षित उक्त सारणी के स्तम्भ (5) में यथा दशित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहा है,

और यतः उक्त अभ्यर्थियों ने सम्यक् सूचना दिए जाने पर भी उक्त असफलता के लिए या तो कोई कारण अथवा स्पष्टीकरण नहीं दिया है या उनके द्वारा दिए गए अभ्यावेदनों पर, यदि कोई हो, विचार करने के पश्चात् निर्वाचन आयोग का यह समाधान हो गया है कि उनके पास उक्त असफलता के लिए कोई पर्याप्त कारण या न्यायौचित्य नहीं है,

अतः अब, निर्वाचन आयोग उक्त अधिनियम की धारा 10-क के अनुसरण में नीचे की सारणी के स्तम्भ (4) में विनिर्दिष्ट व्यक्तियों को संसद के किसी भी सदन के या किसी राज्य/संघ राज्य-क्षेत्र की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है :—

सारणी

क्र.सं.	निर्वाचन का विवरण	संसदीय/विधानसभा निर्वाचन-क्षेत्र की क्र.सं. और नाम	निर्वाचन लड़ने वाले अभ्यर्थी का नाम और पता	निरर्हता का कारण
1	2	3	4	5
1.	विधान सभा के लिए साधारण निर्वाचन, 1998	84—मन्सा	पटेल महेन्द्र कुमार रामभाई, स्था. और पो. रिड्गोल, कबीरपुरा, ता.—मन्सा, जिला—गांधीनगर, गुजरात ।	लेख। दाखिल नहीं दिया गया।
2.	—वही—	—वही—	कादीया अतुलकुमार खोदीदास, 34, चन्द्रमौलि, सोसाइटी, मन्सा, जिला—गांधीनगर, गुजरात ।	—वही—
3.	—वही—	—वही—	ठाकुर जयन्तीबाई कर्पनजी, वाव दरवाजा बाहर, सिविल रोड, माकवनवास, मन्सा, गुजरात ।	—वही—
4.	—वही—	—वही—	मकवाना खोदाजी वरवाजी, स्था.—पालडी (राठीड़), पो.—बिलोडारा, ता.—विजापुर, जिला—महेसाना, गुजरात ।	—वही—
5.	—वही—	64—सरवैज	शेख रोसबबेन मोहमेद रमजान, ई/520, सोकलित नगर, पो. आ. जुहापुरा, सरवैज रोड़, अहमदाबाद-55, गुजरात ।	—वही—
6.	—वही—	154—जम्बुसार	मंगलभाई चतुरभाई पटेल, स्था. पो. जफरपुरा, ता.—जम्बुसार, जिला—भड़ौच, गुजरात ।	—वही—

1	2	3	4	5
7.	विधानसभा के लिए साधारण निर्वाचन, 1998	98-दीसा	मेसारा धारजी मारुजी, मोटा, तालुक-पालनपुर, गुजरात ।	लेखा दाखिल नहीं किया गया ।
8.	-वही-	-वही-	सोलंकी मेरुजी वीराजी, मोती अखोल, तालुक-दीसा, गुजरात ।	-वही-
9.	-वही-	99-धनेरा	त्रिवेदी दलपतभाई परसोत्तम, अम्बिकानगर, पंचाल होस्टल पालनपुर के सामने, ता. -पालनपुर, जिला-बसकांथा, गुजरात ।	-वही-
10.	लोकसभा के लिए साधारण निर्वाचन, 1998	10-अहमदाबाद	अश्विन सिंह वावेली, 19, तिरुपति कांठनेक्स, सोनी चाली, चार रास्ता के पास, ओधव रोड, अहमदाबाद-382415, गुजरात ।	लेखा विधि द्वारा अश्विन रीति से दाखिल नहीं किया गया ।
11.	-वही-	-वही-	इकबाल शेख, 4279/ए, लेटेस्ट "टी" सीरिज कैसेट कार्नेर, स्टेट बैंक के पास, लाल दरवाजा, अहमदाबाद, गुजरात ।	-वही-
12.	लोकसभा के लिए साधारण निर्वाचन, 1999	20-आनन्द	शाह चन्द्रकांतभाई रामचन्द्रभाई, तुलसी टॉकीज के पास, स्था. -आनन्द, जिला-आनन्द, गुजरात ।	लेखा दाखिल नहीं किया गया ।
13.	-वही-	-वही-	भंगी कल्याणभाई हीराभाई, कंचोरापुरा, स्था. -दहेवान, तह. -बोरसाद, जिला-आनन्द, गुजरात ।	-वही-
14.	-वही-	-वही-	वनसादीया भूपतिसिंह छगनभाई, घनश्यामभाई नो कुवो., कुंजरव रोड, पो. -सरसा, तह. -आनन्द, जिला-आनन्द, गुजरात ।	-वही-

1	2	3	4	5
15.	लोक सभा के लिए साधारण निर्वाचन, 1999	20 आनन्द	सोलंकी जगदीशभाई भाइजीलाई देवकापुरा, स्था.—पंडोली, तह.—पेटाड, जिला—आनन्द, गुजरात ।	लेखा दाखिल नहीं किया गया ।
16.	—वही—	24—सूरत	अरूण कलाल बी. आर. सी. कालोनी के पास, भेदवाद दर्गाह, उधना, सूरत—394210, गुजरात ।	—वही—

[सं. 76/गुज/2000/प. अनु-1]

आदेश से,

सी. आर. ब्रह्म म, सचिव

ORDER

New Delhi, the 7th August, 2000

O.N. 121.—Whereas, the Election Commission of India is satisfied that each of the Contesting candidate specified in column 4 of the Table below at the General Election to the House of the People/Legislative Assembly in Gujarat State specified in column 2 and held from the constituency specified in column 3 against his/her name has failed to lodge the account of his/her election expenses as shown in column 5 of the said Table as required by the Representation of the People Act, 1951 and the Rules made thereunder;

And whereas, the said candidates have either not furnished any reason or explanation for the said failure even after due notice by the Election Commission, or after considering the representation made by them, if any, the Election Commission is satisfied that they have no good reason or justification for the said failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the persons specified in column 4 of the Table below to be disqualified for being chosen as and for being a member of either house of Parliament or the Legislative Assembly or Legislative Council of a State or Union Territory for a period of three years from the date of this order :—

TABLE

S. N.	Particulars of Election	S.N. & Name of Constituency	Name & Address of Contesting candidates	Reasons for Disqualification
1	2	3	4	5
1.	General Election to the Legislative Assembly, 1998.	84-Mansa	Patel Mahendra Kumar Ramabhai. At & Post Ridrol, Kabirpura, Ta. Mansa, District-Gandhinagar, Gujarat.	Account not lodged.
2.	-do-	-do-	Kadiya Atulkumar Khodidas 34, Chandramoli Society, Mansa, District-Gandhinagar, Gujarat.	-do-
3.	-do-	-do-	Thakor Jayantibhai Karshanji Vav Darvaja Bahar, Civil Road, Makvanawas, Mansa, Gujarat.	-do-

1	2	3	4	5
4.	General Election to the Legislative Assembly, 1998	84-Mansa	Makwana Khodaji Varvaji At : Paldi (Rathod), PO : Bilodara, Ta : Vijapur, District : Mahesana, Gujarat.	Account not lodged
5.	-do-	64-Sarkhej	Shaikh Rosanben Mohamed Ramzan, E/520, Sankaltnagar, P.O.-Juhapura, Sarkhej Road, Ahmedabad-55, Gujarat.	-do-
6.	-do-	154-Jambusar	Mangalbhai Chaturbhai Patel At: PO: Jafarpura, Ta. Jambusar, Dist. Bharuch, Gujarat.	-do-
7.	-do-	98-Deesa	Mesara Dharji Maruji Mota, Taluka-Palanpur, Gujarat.	-do-
8.	-do-	-do-	Solanki Meruji Viraji Moti Akhol, Taluka Deesa, Gujarat.	-do-
9.	-do-	99-Dhanera	Trivedi Dalpatbhai Parsotam Ambikanagar, Opp. Panchal Hostel Palanpur, Ta. Palanpur, Dist. Banaskantha, Gujarat.	-do-
10.	General Election to the House of the People, 1998.	10-Ahmedabad	Ashvin Sinh Waghela 19, Tirupati Complex, Soni Chali, Nr. Char Rasta, Odhav Road, Ahmedabad-382415, Gujarat.	Account not lodge in the manner.
11.	-do-	-do-	Iqbal Shaikh 4279/A, Latest 'T' Series Cassett Cornor, Nr. State Bank, Lal Darwaja, Ahmedabad, Gujarat.	-do-
12.	General Election to the House of the People, 1999.	20-Anand	Shah Chandrakantbhai Ramachandrabhai Nr. Tulsi Talkies, At Anand, Dist. Anand, Gujarat.	Account not lodged
13.	-do-	-do-	Bhangi Kalyanbhai Hirabhai Kanchorapura, At: Dahevan, Tal. Borsad, Dist. Anand, Gujarat.	-do-
14.	-do-	-do-	Vansadiya Bhupatsinh Chhaganbhai- Ghanshyambhai No Kuvo, Kunjrav Road, Post Sarsa, Tal. Anand, Dist. Anand, Gujarat.	-do-

1	2	3	4	5
15.	General Election to the House of the People, 1999.	20-Anand	Solanki Jagdishbhai Bhaijibhai Devkapura, At. Pandoli, Ta. Petad, Dist. Anand, Gujarat.	Account not lodged
16.	-do-	24-Surat	Arun Kalal Opp. B.R.C. Colony, Bhedwad Dargah, Udhna, Surat-394210, Gujarat.	-do-

[No. 76/GJ/2000/W.S.I.]

By Order,

C.R. BRHMAM, Secy.

आदेश

नई दिल्ली, 7 अगस्त, 2000

आ.अ. 122:—निर्वाचन आयोग का समाधान हो गया है कि नीचे की सारणी के स्तम्भ (2) में यथा-विनिर्दिष्ट राजस्थान विधान सभा/लोक सभा के साधारण निर्वाचन के लिए जो स्तम्भ (3) में विनिर्दिष्ट निर्वाचन-क्षेत्र से हुआ है, स्तम्भ (4) में उसके सामने विनिर्दिष्ट निर्वाचन लड़ने वाला प्रत्येक अभ्यर्थी, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित उक्त सारणी के स्तम्भ (5) में यथा दशित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे ;

और उक्त अभ्यर्थियों ने निर्वाचन आयोग द्वारा सम्यक सूचना दिए जाने पर भी उक्त असफलता के लिए न तो कोई कारण और न ही स्पष्टीकरण दिया है अथवा उनके द्वारा प्रस्तुत अभ्यावेदन पर, यदि कोई हो, विचार करने के पश्चात् निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास उक्त असफलता के लिए कोई पर्याप्त कारण या न्यायौचित्य नहीं है ;

अतः अब निर्वाचन आयोग, उक्त अधिनियम की धारा 10-क के अनुसरण में नीचे की सारणी के स्तम्भ (4) में विनिर्दिष्ट व्यक्तियों का संसद के किसी भी सदन के या किसी राज्य या संघ राज्य-क्षेत्र की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए एतद्वारा निरहित घोषित करता है ।

सारणी

क्र.सं.	निर्वाचन का विवरण	निर्वाचन-क्षेत्र की क्र.सं. और नाम	निर्वाचन लड़ने वाले अभ्यर्थी का नाम और पता	निरर्हता का कारण
1	2	3	4	5
1.	विधान सभा के लिए साधारण निर्वाचन, 1998	167—सिरोही	दिनेश कुमार, 201/23, मरडिया लाईन, सिरोही, राजस्थान ।	लेखा विधि द्वारा अपेक्षित रीति से दाखिल करने में असफल रहे ।
2.	-वही-	-वही-	मकनाराम गांव-पोस्ट-भूतगांव, तहसील-सिरोही, राजस्थान ।	-वही-
3.	-वही-	-वही-	मोहनलाल पुरोहित, मु. पोस्ट-मतोरा, तह. -सिरोही, राजस्थान ।	-वही-

1	2	3	4	5
4.	विधान सभा के लिए साधारण निर्वाचन, 1998	167-सिरोही	गोमाराम, गांव-रामपुरा, पोस्ट-सिलंदर, तहसील-सिरोही, राजस्थान ।	लेखा विधि द्वारा अपेक्षित रीति से दाखिल करने में असफल रहे ।
5.	-वही-	-वही-	राईगांराम, मु. पो.-पुगंती, वाया कालन्दी, तह.-सिरोही, राजस्थान ।	-वहाँ-
6.	-वही-	-वही-	शंकरलाल कुम्हार डा. सम्पूर्णानन्द कालोनी, सिरोही, राजस्थान ।	-वही-
7.	-वही-	197-परबतसर	श्रवण वाल्मीकी मु. पो. बडू, तह.-परबतसर राजस्थान ।	लेखा दाखिल करने में असफल रहे ।
8.	-वही-	195-तावा	रामेश्वर लाल, काला भाटा की ढाणी वाया कुचामन सिटी, राजस्थान ।	लेखा विधि द्वारा अपेक्षित रीति से दाखिल करने में असफल रहे ।
9.	-वही-	-वही-	मुरलीधर, मु. पो. कुकनवाली, तहसील-तावा राजस्थान ।	लेखा दाखिल करने में असफल रहे ।
10.	-वही-	46-दूढ़ (अ. जा.)	हरलाल सिंह खातीपुरा, जयपुर, राजस्थान ।	-वही-
11.	-वही-	48-फागी	प्रकाश चन्द्र बैरवा, श्रीरामजीपुरा, तह. फागी, राजस्थान ।	-वही-
12.	-वही-	176-पचपदरा	सुमेरमल, कन्सारो का वास, बालोतरा, राजस्थान	-वही-
13.	-वही-	74-नदबई	ओम प्रकाश ग्राम-हन्तरा, तह.-नदबई, राजस्थान ।	लेखा विधि द्वारा अपेक्षित रीति से दाखिल करने में असफल रहे ।

1	2	3	4	5
14.	विधान सभा के लिए साधारण निर्वाचन, 1998	12--लुणकरणसर	अब्दुल गुफार, ग्राम-पोस्ट--सरदारगढ़, तह. सूरतगढ़, जिला गंगानगर, राजस्थान ।	लेखा दाखिल करने में असफल रहे ।
15.	--वही--	91--उनिथारा	हेमराज मीना ग्राम देवीखेड़ा, पो. राजमहल तह. देवली, जिला टोंक, राजस्थान ।	--वही--
16.	--वही--	178--गुडामालानी	किशोरी लाल, ग्राम पोस्ट गुडामालानी, जिला बाड़मेर, राजस्थान ।	--वही--
17.	--वही--	85--गंगापुर	रामेश्वर, वार्ड नं. 18, गंगापुरीसिटी, राजस्थान ।	--वही--
18.	--वही--	26--गुडा	जनार्दनसिंह शेखावत, मु. पो. बड़ागाव, राजस्थान ।	--वही--
19.	--वही--	38--चौमू	रामचन्द्र यादव, भीमाकों की टाणी, वार्ड नं. 16, चौमू, राजस्थान ।	--वही--
20.	--वही--	--वही--	बंशीधर रैगरों का मौहल्ला, वार्ड नं. 8 चौमू, राजस्थान ।	--वही--
21.	--वही--	15--नोखा	नानूराम नायक, बस स्टैंड के पास, नोखा, राजस्थान ।	--वही--
22.	--वही--	140--राजसमन्द	शंकर लाल रेगर मु. पो. मोही, वाया कांकरोली, जिला राजसमन्द, राजस्थान ।	--वही--
23.	--वही--	93--मालपुरा	अब्दुल वाहिद नकवी गौहल्ला सादात, टोडा रोड़, मालपुरा, राजस्थान ।	लेखा विधि द्वारा अपेक्षित रीति से दाखिल करने में असफल रहे ।

1	2	3	4	5
24.	विधान सभा के लिए साधारण निर्वाचन, 1998	42--जौहरी बाजार	सदीप सक्सेना, 68/301, प्रताप नगर, टोक रोड़ सागामेर, जयपुर, राजस्थान।	लेखा दाखिल करने में असफल रहे।
25.	--वही--	--वही--	इफ्तेखार कुरेशी, कुरेशिया मस्जिद के पास, कुरेश स्कूटर, संजय बाजार, आगारा रोड़, जयपुर, राजस्थान।	लेखा विधि द्वारा अपेक्षित रीति से दाखिल करने में असफल रहे।
26.	--वही--	--वही--	नन्द लाल, पीन. 3012, प्रेम कालोनी, नेहरू नगर, जयपुर, राजस्थान।	--वही--
27.	--वही--	166--बाली	जेठूसिंह, वारवा, जिला पाली, राजस्थान।	लेखा दाखिल करने में असफल रहे।
28.	--वही--	162--खारची	पूसाराम, गांव दूधौड़, पोस्ट धारेश्वर, तह. मारवाड़ जक्शन, जिला पाली, राजस्थान।	--वही--
29.	--वही--	--वही--	बाबुलाल सरगरा, मु.पो. राणावास, बाया मारवाड़ जक्शन जिला पाली, राजस्थान।	--वही--
30.	--वही--	162--खारची	मगा राम, गांव बड़ी, पोस्ट-ठाकुरवास, बाया मारवाड़ राणावास, जिला पाली, राजस्थान।	लेखा दाखिल करने में असफल रहे।
31.	--वही--	92-टोडाराय सिंह	विजय सिंह पुत्र हेम सिंह, ग्राम-डालमिया, पोस्ट मेंदवास, तह. फागी, जिला जयपुर राजस्थान।	--वही--
32.	--वही--	--वही--	गोपाल, पुत्र वजरंग, मु. पो. बीसलपुर, बाया टोडाराय सिंह, जिला टोंक, राजस्थान।	--वही--
33.	--वही--		अजीत सिंह, पुत्र सीहन सिंह, ग्राम बावड़ी, तह. टोडाराय सिंह, जिला टोंक, राजस्थान।	लेखा विधि द्वारा अपेक्षित रीति से दाखिल करने में असफल रहे।

1	2	3	4	5
34.	विधान सभा के लिए साधारण निर्वाचन, 1998	92—टोडाराय सिंह	हेमराज, पुत्र हरचन्दा, ग्राम इन्द्रपुरा, पोस्ट देलीगांव, तह. देवली, जिला टोक, राजस्थान ।	लेखा विधि द्वारा अपेक्षित रीति से दाखिल करने में असफल रहे ।
35.	—वही—	194—डीडवाना	पन्नेसिंह, गांव नोसर, तह. डीडवाना, जिला नागौर, राजस्थान ।	—वही—
36.	लोक सभा के लिए साधारण निर्वाचन, 1998	21—पाली	शाहब हैदर, सो-3/56 सुल्तानपुरी, नई दिल्ली-41	—वही—
37.	लोक सभा के लिए साधारण निर्वाचन, 1999	2—बीकानेर	रामप्रताप, गांव—लालमदेसर, तह.—नोखा, जिला बीकानेर, राजस्थान ।	लेखा दाखिल करने में असफल रहे ।
38.	—वही—	8—अलवर	जसवंत सिंह यादव, ग्राम—गंगायाचा, अहीर पोस्ट, बीकानेर, तह. और जिला रिवाड़ी हरियाणा	लेखा विधि द्वारा अपेक्षित रीति से दाखिल करने में असफल रहे ।
39.	—वही—	23—वाड़मेर	कर्माराम, गांव—खाराडेर, पोस्ट—श्रीगाला, तह.—चौहटन, जिला—वाड़मेर, राजस्थान ।	लेखा दाखिल करने में असफल रहे ।

[सं. 76/राज./2000]

आदेश से,

सी. आर. ब्रह्मम स्, सचिव

ORDER

New Delhi, the 7th August, 2000

O.N. 122.—Whereas, the Election Commission of India is satisfied that each of the Contesting candidate specified in column 4 of the Table below at the General Election to the Legislative Assembly/House of the People in Rajasthan State specified in column 2 and held from the constituency specified in column 3 against his/her name has failed to lodge the account of his/her election expenses as shown in column 5 of the said Table as required by the Representation of the People Act, 1951 and the Rules made thereunder;

And whereas, the said candidates have either not furnished any reason or explanation for the said failure even after due notice by the Election Commission, or after considering the representation made by them, if any, the Election Commission is satisfied that they have no good reason or justification for the said failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the persons specified in column 4 of the Table below to be disqualified for being chosen as and for being a member of either house of Parliament or the Legislative Assembly or Legislative Council of a State or Union Territory for a period of three years from the date of this order :—

TABLE

S. No.	Particulars of Election	SN & Name of Constituency	Name & Address of Contesting candidates	Reasons for Disqualification
1	2	3	4	5
1.	General Election to Legislative Assembly, 1998.	167—Sirohi	Sh. Dinesh Kumr. 201/23, Mardiya Lane, Sirohi, Rajasthan.	Account not lodged in the manner required by law.
2.	—do—	—do—	Sh. Makna Ram, V/P : Bhootgaon, Tehsil : Sirohi, Rajasthan.	—do—
3.	—do—	—do—	Sh. Mohan Lal Purohit, V/P Manora, Tehsil : Sirohi, Rajasthan.	—do—
4.	—do—	—do—	Sh. Goma Ram. Village : Rampura, Post : Sildar, Tehsil : Sirohi, Rajasthan.	—do—
5.	—do—	—do—	Sh. Rainga Ram, V/P : Phoongani, Via Kalandri, Tehsil : Sirohi, Rajasthan.	—do—
6.	—do—	—do—	Sh. Shanker Lal Kumhar, Dr. Sampurnanand Colony, Sirohi, Rajasthan.	—do—
7.	—do—	197—Parbatsar	Sh. Shrawan Balmiki, V.P.O. : Badu, Tehsil : Parbatsar, Rajasthan.	Account not lodged.
8.	—do—	195—Nawan	Sh. Rameshwar Lal, Kaja Bhata Ki Dhani, Via Kuchaman City, Rajasthan.	Account not lodged in the manner required by law.
9.	—do—	—do—	Sh. Murlidhar, R/o. Kukan Wali, Tehsil : Nawan, Rajasthan.	Account not lodged.
10.	—do—	46—Dudu	Sh. Harlal Singh, Khatipura, Jaipur, Rajasthan.	—do—
11.	—do—	48—Phagi	Sh. Prakash Chand Bairwa, Sriramjipura, Tehsil : Phagi, Rajasthan.	—do—

1	2	3	4	5
12.	General Election to Legislative Assembly, 1998.	176—Pachpadra	Sh. Sumer Mal, Kansaro Ka Bas, Balotara, Rajasthan.	Account not lodged.
13.	—do—	74—Nadbai	Om Prakash, Village : Hantra, Tehsil : Nadbai, Rajasthan.	Account not lodged in the manner required by law.
14.	—do—	12—Lunkaransar	Abdul Gufar, V/P : Sardargarh, Tehsil : Suratgarh, Distt : Ganganagar, Rajasthan.	Account not lodged.
15.	—do—	91—Uniara	Hem Raj Meena, Village : Devikhera, Post : Raj Mahal Tehsil : Devli, Distt : Tonk, Rajasthan.	—do—
16.	—do—	178—Gudamalani	Kishori Lal, V/P : Gudamalani, Distt : Barmer, Rajasthan.	—do—
17.	—do—	85—Gangapur	Rameshwar, Ward No. 18, Gangapur City, Rajasthan.	—do—
18.	—do—	26—Gudha	Jnardhan Singh Shekhawat, V/P : Badagaon, Rajasthan.	—do—
19.	—do—	38—Chomu	Ram Chander Yadav, Bhomako Ki Dhani, Ward No. 16, Chomu, Rajasthan.	—do—
20.	—do—	—do—	Banshi Dhar, Regaro Ka Mohalla, Ward No. 8, Chomu, Rajasthan.	—do—
21.	—do—	15—Nokha	Nanu Ram Nayak, Near Bus Stand Nokha, Rajasthan.	—do—
22.	—do—	140—Rajsamand	Shanker Lal Regar, V/P : Mohi, Via Kankroli, Distt : Rajsamand, Rajasthan.	—do—
23.	—do—	93—Malpura	Abdul Wahid Naqvi, Mohalla Sadat, Toda Road, Malpur, Rajasthan.	Account not lodged in the manner required by law.

1	2	3	4	5
24.	General Election to Legislative Assembly, 1998.	42—Zohri Bazar	Sandeep Saxena, 68/301, Pratap Nagar, Tonk Road, Sanganer, Jaipur, Rajasthan.	Account not lodged.
25.	—do—	—do—	Iphtey Khan Qureshi, Near Qureshia Masjid, Qureshi Scooter, Sanjay Bazar, Agra Road, Jaipur, Rajasthan.	Account not lodged in the manner required by law.
26.	—do—	—do—	Nand Lai, P. No. 3012, Prem Colony, Nehru Nagar, Jaipur, Rajasthan.	—do—
27.	—do—	166—Bali	Sh. Jethu Singh, Barwa, Distt : Pali, Rajasthan.	Account not lodged.
28.	—do—	162—Kharchi	Poosaram, Vill : Dudod, P.O. : Dhareshwar, Tehsil : Marwar Junction, Distt : Pali, Rajasthan.	—do—
29.	—do—	—do—	Babulal Saragra, Village : Ranawas, Via : Marwar Junction, Distt : Pali, Rajasthan.	Account not lodged.
30.	—do—	—do—	Magaram, Vill : Bari, P.O. : Thakurwas, Via : Marwar, Ranawas, Distt : Pali, Rajasthan.	—do—
31.	—do—	92—Todaraisingh	Vijay Singh, S/o. Hem Singh, R/o. Dalnia, Post : Mehandwas, Tehsil : Phagi, Distt : Jaipur, Rajasthan.	—do—
32.	—do—	—do—	Gopal, S/o. Bajrang, V. & P.O. Bisalpur, Via : Todaraisingh, Distt : Tonk, Rajasthan.	—do—

33.	General Election to Legislative Assembly, 1998.	92—Todaraisingh	Ajeet Singh, S/o. Sohan Singh, Vill : Bawadi, Tehsil : Todaraisingh, Distt : Tonk, Rajasthan.	Account not lodged in the manner required by law.
34.	—do—	—do—	Hemraj, S/o. Harchanda, Vill : Indrapura, Post : Deoli Gaon, Tehsil : Deoli, Distt : Tonk, Rajasthan.	—do—
35.	—do—	194—Didwana	Pannay Singh, Vill : Nosar, Tehsil : Didwana, Distt : Nagaur, Rajasthan.	—do—
36.	General Election to Lok Sabha, 1998.	21—Pali	Shahab Haider, C-3/56, Sultan Puri, New Delhi.	Account not lodged in the manner required by law.
37.	General Election to the House of the People, 1999.	2—Bikaner	Sh. Rampratap, Vill : Lalamdesar, Tehsil : Nokha, Distt : Bikaner, Rajasthan.	Account not lodged.
38.	—do—	8—Alwar	Sh. Jaswant Singh Yadav, Vill : Gangayacha Ahir, Post : Bikaner, Tehsil & Distt : Rewari, Haryana.	Account not lodged in the manner required by law.
39.	—do—	23—Barmer	Sh. Dharmaram, Vill : Kharader, Post : Ogala, Tehsil : Chohtan, Distt : Barmer, Rajasthan.	Account not lodged.

[No. 76/RJ/2000]

By Order,

C. R. BRHMAM, Secy.

नई दिल्ली, 11 अगस्त, 2000

आ.अ. 123.—भारत निर्वाचन आयोग एतद्वारा 1998 की निर्वाचन अर्जी संख्या 7 (दयानन्द सहाय बनाम कपिल सिद्धल और अन्य) में पटना स्थित उच्च न्यायालय के तारीख 27-4-2000 के आदेश को लोक प्रतिनिधित्व अधिनियम,

1951 (1951 का 43) की धारा 106 के अनुसरण में प्रकाशित करता है।

(निर्णय अधिसूचना के अंग्रेजी भाग में छपा है।)

[सं. 82/रा. स. बिहार/7/98/2000]

आदेश से,

अरुण पाल सिंह, सचिव

New Delhi, the 11th August, 2000

O.N. 123.—In pursuance of Section 106 of the Representation of the People Act, 1951 (43 of 1951), the Election Commission of India hereby publishes the order of the High Court of Judicature at Patna dated 27-04-2000 in Election Petition No. 7 of 1998 (Dayanand Sahay vs. Kapil Sibal and others).

ELECTION PETITION NO. 7 OF 1998

In the matter of an application under Sections 80, 80A and 81 of the Representation of People Act, 1951.

Daya Nand Sahay .. Petitioner.

Versus

Kapil Sibal and Others. .. Respondent.

For the Petitioner :—M/s. S. N. P. Sharma, Sr. Adv. and Amrendra Kumar Singh, Advocate.

For the Respondents :—M/s. P. Chidambaram, Sr. Adv., Ashok Kr., Jayanand, Uday Shanker Sharan, Singh, Sunil Kumar, Upasana Dubey Tiwary, Anurag Kr. Dubey, John Kandulna, Sureshwar Prasad Sinha, Pandit Ji Pandey, Rita Kumari No. 1, Uday Chand Pd., Nirmal Kr., Sanjeev Kr. Mishra and Naresh Dikshit, Advocates.

PRESENT :

The Hon'ble Mr. Justice R. N. Sahay.

R. N. Sahay, J.—By this application under Sections 80, 80A and 81 of the Representation of People Act, 1951 the petitioner has called in question the election of Sri Kapil Sibal respondent No. 1 as a member of Council of States in the election held on 18th day of June, 1998. Respondents No. 2 to 7 are remaining elected members of the Rajya Sabha. Election of respondent No. 1 has been assailed on the ground that the Returning Officer improperly accepted the nomination paper of respondent No. 1 as his nomination paper was not filled in accordance with Section 33(1) of the Representation of People Act, 1951. In a nutshell, case of the election petitioner is that the respondent No. 1 had not filled all the columns of the nomination paper properly as he did not give his postal address in his nomination paper in the relevant column which requires imperatively to furnish complete and full postal address so that a letter may reach the candidate's house easily and without any difficulty. However, respondent No. 1 instead of giving his complete and full postal address has given merely Shastri Nagar, Patna. He has not given his house number, name of the post office, number of Pin Code and the name of the district. So it was no more than an apology of an address hence it was equal to not giving any address at all.

2. The petitioner has sought a declaration that he should be declared as duly elected member of Council of the State after setting aside the election of respondent No. 1. There were eight contestants including the election petitioner for election of seven members of the Council for the State in the State of Bihar. The election petitioner was an independent candidate but he was supported by Samta Party. Respondent No. 1 represented Indian National Congress. The other respondents likewise were candidates of different parties. Polling of the said election was held on 18-6-1998 and the counting of the ballot papers were completed on the same day. After counting the value of First Preference Vote in the first count was determined. After completing first round of counting, quota was determined at 3926. Thereafter process of distribution of surplus votes and method of elimination were followed. In the end the petitioner was eliminated and respondents No. 1 to 7 were declared elected to Council of States from the State of Bihar.

3. It is contended that in case nomination paper of respondent No. 1 was rejected by the Returning Officer, the number of contesting candidate would have been reduced from eight to seven which was equal to the number of seats required to be filled up. In this situation, the petitioner would have been declared elected uncontested as provided under section 53(2) of the Act. It is contended that the nomination paper filed by respondent no. 1 ought to have been rejected outright at the time of scrutiny because respondent no. 1 in his nomination paper had not furnished complete and

full address, and such defect was defect of substantial character. The Returning Officer had no alternative but to reject the nomination paper of respondent no. 1 under section 36(2) (b) on account of non compliance of mandatory provisions of section 33 of the Act.

4. The nomination paper filed by respondent no. 1 is Ext.-1. Name of respondent no. 1 appears at serial No. 1829 Part 18 Assembly Constituency No. 206 Patna. The respondent no. 1 has given his address as Shastri Nagar, Patna, Respondent No. 1 has prayed for dismissing the election petition on the ground that the election petition is an abuse of the process of the Court. It does not disclose any cause of action nor does the petitioner has any cause of action. Respondent no. 1 denied that nomination paper of respondent no. 1 was improperly accepted by the Returning Officer and the petitioner is entitled to be declared uncontested. Respondent No. 1 was presenting before the Returning Officer. He found his nomination paper valid and in order. It is stated in the written statement that the neither the petitioner nor any other contesting candidate or their representatives or any other person authorised to be present objected to the nomination papers of respondent no. 1 or objected to any irregularity in respect thereof. Since no objection was filed, Returning Officer was pleased to accept the nomination paper in accordance with law. The Returning Officer has scrutinised the nomination paper before accepting it. Respondent No. 1 asserts that his nomination paper was properly accepted and he was duly elected. His nomination paper was duly filled up in accordance with law and in prescribed manner. It is denied that respondent no. 1 did not fill all the columns. Nomination paper was duly filled in. Respondent No. 1 had filled correct postal address. It is contended that there is definite purpose and object to electoral rolls published with reference to the provisions of the Representation of People Act, 1951 and the nomination paper was duly filed in consistent with the particulars reflected in the electoral roll. The purpose of scrutiny is to identify the contesting candidate with reference to the electoral roll along with particulars provided in the nomination paper that the contesting candidate is the one whose name finds mention in the electoral roll. It is submitted that no house number was given in the nomination paper since there are many colonies in Shastri Nagar where there is no house number.

5. Sri P. Chidambaram, learned senior counsel for the respondent no. 1 relied on the provisions contained in the Constitution of India and Representation of People Act with regard to qualification of the elector. He submitted that filing of nomination paper is to establish that the contesting candidate is qualified in all respect to participate in the election and to ensure that the person filing the nomination paper is the same person whose name is found in the electoral roll. The first part of the nomination paper requires the proposes of the contesting candidate to fill in the form to ensure that the candidate's particulars are duly filled in and are consistent with the particulars reflected in the electoral roll. The second part of the nomination paper relates to the declaration given by the candidate which requires him to declare his age, his name and a declaration to the effect that he is a citizen of India. The declaration relates to the eligibility conditions which must be duly filled in and conditions satisfied. It is asserted that every column of the nomination paper was filled up with abundant precaution giving all relevant particulars. It is denied that in absence of complete and full postal address the nomination is invalid.

6. Mr. S. N. P. Sharma, learned counsel for the election petitioner has invited my attention to the address given by respondent no. 1 in the electoral roll of Patna Assembly Constituency. He submitted that there is wide variance between the nomination paper filed by the respondent no. 1 and the address in the electoral roll. Respondent No. 1 in his evidence has filed document to show that he has been receiving letters and important documents by post at the postal address given in the nomination paper. Sri Sharma has placed strong reliance on Dharam Singh Rathji Vs.

Hari Singh (1975) S.C.C. 240 in support of his contention that in absence of complete postal address of respondent no. 1 in his nomination paper, the nomination paper suffers from defect of substantial character which was illegally accepted by the Returning Officer. The election of respondent no. 1 is therefore void.

7. In Dharam Singh Rathi's case one candidate Jagan Nath had filed two nomination papers in the prescribed Form No. 2B prescribed under Rule 4 of the Conduct of Election Rules, 1961. In both the papers in the column "His postal address" the only thing written was—"Smalkha Mandi". The Returning Officer rejected both the nomination papers of Jagan Nath on the ground that the candidate had not given the name of his father and his full address. The name given as Jagan Nath and address as Smalkha Mandi were not sufficient. The election of elected candidate was challenged before Punjab & Haryana High Court and the said High Court following the decision of the apex court in *Brijendralal Gupta Vs. Jwalaprasad A.I.R. 1960 S.C. 1049* and *Prahladdas Khandelwal Vs. Narendra Kumar Salve (1973) S.C.C. 104*, held that the nomination paper suffered from a defect of non compliance of section 33(1) of the Act and the defect was of the substantial character. The Supreme Court affirmed the decision of Punjab and Haryana High Court. *Untwalia, J.* speaking for the Bench in para 3 of the report observed as follows :

"We concur in the view of the High Court that filling up the column of postal address of the candidate in the nomination paper is necessary. The High Court has referred to several provisions in the Act and the Rules to point out the purpose of supplying the postal address. It appears that the name of the post office concerning Smalkha Mandi-Smalhka village, Modeltown, etc. was Smalkha. The name of the post office was not Smalkha Mandi. On the face of the address given in the nomination papers there was defect of incorrect mention of the name of the post office. The name of the district was also not given. It has come in the evidence of the respondent that there were other places of the names of Smalkha and Smalkha Mandi in the States of Haryana and Rajasthan. Even ignoring the defects aforesaid the High Court has noticed on consideration of evidence and specially of Jagan Nath himself that the postal address given in either of his nomination forms was so very incomplete that no letter addressed to him to that address could possibly be delivered to him. There were several persons of the name of Jagan Nath in Smalkha Mandi, Smalkha village, Jagan Nath was serving at the shop of a sweetmeat seller, Railway Road Smalkha Mandi and was resident of Bharbujanwali Gali. The interesting part of this case is that Jagan Nath did not file an election petition. It was filed by the brother of an unsuccessful candidate. Eventually Jagan Nath was impleaded as a respondent in the election petition. He filed a written statement and examined himself as RW 5. His definite case was that until and unless some

more details were given in his postal address no letter on that skelton description as given in the nomination papers could not be delivered to him by the postal authorities. Taking the totality of the circumstances the High Court has rightly held that no postal address in effect was given on either of the nomination papers of Jagan Nath."

8. Hon'ble Supreme Court held that the defect of non-supply of postal address is not covered by the proviso to sub-section (4) of section 33 of the Act. This defect cannot be rectified.

9. Sri P. Chidambaram has distinguished the ratio in *Dharam Singh Rathi's* (Supra) with the present case. He submitted that the decision was distinguishable on facts which is apparent from the paragraph quoted above. The candidate whose nomination paper was rejected admitted in his evidence that unless some more details are given in the address, no letter could be delivered to him by the postal authorities.

10. The ratio of *Dharam Singh Rathi's* case (Supra) was considered in *Rit Lal Prasad Verma Vs. Shri Mumtaz Ansari and others* [E.P. No. 2 of 1991(R)] disposed on 11th January, 1995. The election of returned candidates was set aside on the ground that nomination paper of elected candidate relating to postal address was not properly filled up and this defect was of substantial character and on this ground the nomination paper was defective. The elected candidate had given his address in the nomination paper as "Phulwari". It was held that there is no post office like "Phulwari" in the list of post office issued by the Central Government for the State of Bihar. There is one post office in the list i.e., "Phulwarisharif" in the district of Patna. The operation of this judgment was stayed by the Hon'ble Supreme Court. This decision is distinguishable on facts.

11. Qualification for membership of Council of States is provided in Section 3 of the Representation of People Act, 1951 which provides as follows :

"A person shall not be qualified to be chosen as a representative of any State or Union Territory in the Council of States unless he is an elector for a Parliamentary Constituency in that State or Territory".

12. It is not disputed nor can be disputed that respondent No. 1 is an elector of Patna Parliamentary Constituency. It is evident that the name of Respondent No. 1 finds place at serial No. 1829 Part 19 Patna West Assembly Constituency. Respondent No. 1 does not suffer from any other disqualification. Electoral Roll is conclusive to prove that he has necessary qualification as he is ordinary resident of that constituency. He is above the minimum qualifying age. No body raised any objection about the inclusion of the name of respondent No. 1 in the electoral roll. Respondent No. 1 presented his nomination paper in Form 2-C appended to the Conduct of the Election Rules, 1961. He gave his postal address in his nomination paper as Shastri Nagar, Patna.

13. The contention of Sri Sharma, learned counsel for the Election Petitioner is that respondent No. 1 had not furnished Road Number, House Number, Mohalla etc. in his postal address and thus there was no compliance of sub-section (1) of Section 33 of the Representation of People Act. In other words, it is contended that the nomination paper filed by respondent No. 1 was not completely in the prescribed form and as such his nomination paper was liable to be rejected.

14. Section 36 of the Representation of People Act, 1951 provides for scrutiny of nomination papers and rejection of nomination paper on any of the following grounds :—

- (a) that on the date fixed for the scrutiny of nominations the candidate either is not qualified or is disqualified for being chosen to fill the seat under any of the following provisions that may be applicable, namely :—

Article 84, 102, 173 191,

Part II of this Act and sections 4 and 14 of the Government of Union Territories Act, 1963, or

- (b) that there has been a failure to comply with any of the provisions of section 33 or section 34 ; or
- (c) that the signature of the candidate or the proposer on the nomination paper is not genuine.

15. It is not the case of the petitioner that there was total non-compliance of section 33 of the Representation of People Act which entitled the Returning Officer to reject the nomination paper in terms of clause (b) of sub-section (2) of section 36 of the Act.

16. Under sub-section (4) of section 36 of the Act the Returning Officer shall not reject any nomination paper on the ground of any defect which is not of substantial character. The omission of not furnishing House number, Road number etc. in the nomination paper by no stretch of imagination can be held to be defect of substantial character entitling the Returning Officer to reject the nomination paper. Respondent No. 1 was only required to give his postal address which he had furnished in the nomination paper.

17. In *Prahladdas Khandelwal Vs. Narendra Kumar Salve* AIR 1973 S.C. 178 relied upon by Sri Sharma, nomination paper was rejected as the name of the Constituency was not stated in the nomination form. It was held by the apex court that the Returning Officer was, therefore, justified in rejecting the nomination form.

18. In *Rangilal Chaudhari Vs. Dahu Sao* AIR 1962 S.C. 1248 Hindi nomination form did not conform with prescribed form under the Rules and because of this mistake in the form the name of the constituency was not written. The Supreme Court held that omission was not of a substantial character as to entail rejection of the nomination form. This was so because the mistake had occurred due to defect in the printing of the nomination paper. The Supreme Court

appears to have taken note of two important facts; firstly the election was a by-election and there was no question of any dispute about the constituency for which the nomination is to be treated and secondly, there was defect in the printed nomination form.

19. Sub-section (4) of section 33 clearly provides that no misnomer or inaccurate description or clerical, technical or printing error in regard to the name of the candidate or his proposer or any other person, or in regard to any place mentioned in the electoral roll or the nomination paper and no clerical, technical or printing error in regard to the electoral roll numbers of any such person in the electoral roll or the nomination paper with respect to such person or place in any case where the description in regard to the name of the person or place is such as to be commonly understood; and the returning officer shall permit any such misnomer or inaccurate description or clerical, technical or printing error in the electoral roll or in the nomination paper shall be overlooked. Thus the power given to the presiding officers under Rule 35(4) of the Conduct of Elections Rules, 1961 to overlook clerical mistakes in identifying voters while allowing them to vote are also available to the returning officers ascertaining their identity while examining the nomination. If the identity of person as a person having voting right is established and it is established that person enrolled in electoral roll is the same, the description error would be immaterial. Rule 4 of the Conduct of Election Rules, 1961 shows that the nomination paper presented under section 33(1) must specify only two requirements so far as the name of the proposer and candidate are concerned under items (1) and (3) thereof viz. "full name of proposer" and "name of candidate's father/husband."

20. Bombay High Court in *ILR (1964) Bom. 114* held that once the identity of a candidate is established, any other defect not affecting that identity would be a clerical or technical defect and not a substantial defect.

21. In *Ram Avadhesh Singh Vs. Sumitra Devi* AIR 1972 S.C. 580 a candidate had entered his roll number in the electoral roll of Arrah constituency and this entry was already deleted and did not mention the roll number in Sandesh Constituency in which his name had continued at the time of nomination but did show certified copy of electoral roll of Sandesh Constituency to the returning officer, Arrah. The Supreme Court found that the defect was not of a substantial character and hence the nomination of the candidate was valid. The Supreme Court made following observations :—

"The implication of section 33(4) is that a wrong entry in a nomination paper as regards the name of the candidate or the proposer or their electoral roll numbers is not a matter of substantial importance. That is why the legislature requires the returning officer to lock into them and if there are any mistakes to get them corrected. What is of importance in an election is that the candidate should possess all the prescribed qualifications and that he should not have incurred any of the disqualifications

mentioned either in the Constitution or in the Act. The other information required to be given in the nomination paper is only to satisfy the returning officer that the candidate possesses the prescribed qualification and that he is not otherwise disqualified. In other words those informations relate to the proof of the required qualifications..... From the combined reading of sections 33 and 36 (of the Act of 1951) it is clear that a mis-description as to electoral roll number of the candidate or of the proposer in the nomination paper is not to be considered as material defect in the nomination paper."

22. The decisions hereinabove relied upon by Sri Sharma and the decision in AIR 1975 S.C. 1612 have been considered and distinguished on facts. As

a result of discussions above the case of the election petitioner that the nomination paper of respondent No. 1 should have been rejected by the Returning Officer on account of non-compliance of section 33(1) of the Representation of People Act is not substantiated and accordingly the election petition must be dismissed.

23. In the result, the election petition fails and is accordingly dismissed but without costs.

Patna High Court,

The 27th April, 2000.

A.F.R./Pradeep

Ct./Cp.

[No. 82/CS-BR/7/98/2000]

By Order

SHARAN PAL SINGH, Secy.

